PTO/SB/25 (09-04) (AW 10/2004) Approved for use through 7/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

aperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional) YAO-4337US4

rw

In re Application of:

Hideki Kuwajima and Kaoru Matsuoka

Application No.:

10/705.325

Filed:

November 10, 2003

For:

HEAD SUPPORT MECHANISM AND THIN FILM PIEZOELECTRIC ACTUATOR

The owner\*, Matsushita Electric Industrial Co., Ltd. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Numbers 09/774,347; 10/705,131; and 10/705,004 as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

	Check either box 1 or 2 below, if appropriate.		
	1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.  I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.		
	2. The undersigned is an attorney or agent of recommendation of the contraction of the co	ord. Registration No.: 27,424  10/3/05  Date	
10/06/2005 AKELECH1 00000010 10705325		Daniel N. Calder	
01 FC:1814	130.00 OP	Typed or printed name	
		(610) 407-0700	
		Telephone Number	
	Terminal disclaimer fee under 37 CFR 1.20(d) is included.		
	WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
	<ul> <li>Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.</li> </ul>		

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.



CERTIFICATE OF MAI	Docket No.				
Applicant(s): Hideki Kuwa	YAO-4337US4				
Serial No.	Filing Date	Examiner	Group Art Unit		
10/705,325	November 10, 2003	George J. Letsche	r 2653		
Invention: HEAD SUPPO	RT MECHANISM AND THIN	FILM PIEZOELECTRIC	ACTUATOR		
I hereby certify that the following correspondence:					
Terminal Disclaimer; PTO-2038; Post card.					
(Identify type of correspondence)					
is being deposited with the United States Postal Service under 37 CFR 1.8 with sufficient postage as first class mail in an envelope addressed to:  Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 on October 3, 2005					
34,515 Registration Number, if applicable	e	Lawrence E. Ashery Typed or Printed Name of Per	son Signing Certificate		
		(610) 407-0700 Telephone Number			
Note: Each paper must have its own certificate of mailing.					

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.